

PROVIDING FOR THE CONSIDERATION OF H.R. 2561,  
DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

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JULY 21, 1999.—Referred to the House Calendar and ordered to be printed

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Mrs. MYRICK, from the Committee on Rules,  
submitted the following

REPORT

[To accompany H. Res. 257]

The Committee on Rules, having had under consideration House Resolution 257, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 2561, the “Department of Defense Appropriations Act, 2000,” under an open rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the bill. The rule also waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in a general appropriations bill).

The rule allows the Chairman of the Committee of the Whole to accord priority in recognition to Members who have preprinted their amendments in the Congressional Record. Further, the rule allows the Chairman of the Committee of the Whole to postpone a request for a recorded vote on any amendment and reduce voting time to five minutes on a postponed question, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes.

Finally, the rule provides one motion to recommit with or without instructions.

The waiver of all points of order against consideration of the bill is necessary because the bill violates clause 3(e)(1)(B) of rule XIII (requiring the inclusion in the report of a comparative print show-

ing the changes in existing law as called for under the reported bill), clause 4 of rule XIII (requiring a three-day layover of the committee report and requiring a three-day availability of printed hearings on a general appropriations bill). In addition, section 8096 of the bill, relating to the TRICARE managed care system, violates section 401(a) of the Congressional Budget Act (prohibiting consideration of legislation, as reported, providing new contract, borrowing, or credit authority that is not limited to amounts provided in appropriation acts). Also, section 8042 relating to administrative activities of the Department of Defense, section 8092 relating to NATO and Partnership for Peace programs, and section 8111 relating to accounts for Military Personnel, Procurement, and the Overseas Contingency Operations Transfer Fund, of the bill, violate section 306 of the Congressional Budget Act (prohibiting consideration of legislation within the Budget Committee's jurisdiction, unless reported by the Budget Committee).

Section 8091 extends managed care support contracts for two years thereby providing new entitlement authority. Sections 8042, 8092, and 8111 change the manner in which the President must submit the annual federal budget relating to the administrative activities of the Department of Defense, the costs incurred to support NATO and budget justifications for the cost of U.S. armed forces participating in contingency operations. These matters all fall within the jurisdiction of the Budget Committee.

The waiver of clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in a general appropriations bill) is necessary because there are 69 provisions in the bill that are unauthorized appropriations and 80 provisions in the bill that are legislative (itemized in House Report 106-244).